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5	UNITED STATES DISTRICT COURT	
6	NORTHERN DISTRICT OF CALIFORNIA	
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8	BRIAN SMITH,	No. C 12-3156 SI (pr)
9	Petitioner,	JUDGMENT
10	v.	
11	E. G. BROWN, et al.,	
12	Respondents.	
13		
14	This action is dismissed because the petition fails to state a claim that the petitioner is	
15	in custody in violation of his rights under the Constitution, treaties or laws of the United States.	
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17	IT IS SO ORDERED AND ADJUDGED.	
18 19	DATED: November 1, 2012	Suran Solston
20		SUSAN ILLSTON United States District Judge
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